

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

IN RE:)	
)	
CUMMINGS MANOOKIAN, PLLC,)	Case No. 3:19-bk-07235
Debtor.)	Chapter 7
)	Judge Walker

TRUSTEE’S MOTION TO COMPEL TURNOVER OF RECORDS

Comes now Jeanne Ann Burton, Trustee, (the “Trustee”) by and through special counsel and pursuant to 11 U.S.C. §521(a)(4), and files this *Trustee’s Motion to Compel Turnover of Records* (the “Motion”) and in support thereof shows this Court as follows:

1. On November 6, 2019 (the “Petition Date”), the Debtor filed a voluntary chapter 7 petition in this Court. Jeanne Ann Burton was appointed to serve as trustee herein on the same day.
2. Despite repeated requests of the Debtor’s corporate representative, Brian Manookian, and the Debtor’s counsel, the Trustee has received very few documents related to the operations, assets and liabilities of the Debtor.
3. For example, the Debtor has failed to cooperate with the Trustee in giving her bank records, credit card statements, documents related to operations of the Debtor’s business, and other documents evidencing assets or liabilities of the Debtor.
4. Absent an order directing the Debtor and the Debtor’s corporate representative to turnover these business records, the Trustee cannot perform her fiduciary duties to the estate or its creditors.
5. Accordingly, the Trustee seeks an order requiring the Debtor to turnover the following books and records, pursuant to 11 U.S.C. §521(a)(4):

- a. Copies of all bank statements for all of Debtor's accounts from November 1, 2017 to the Petition Date;
- b. Copies of all credit card statements for any credit card account maintained by or used by the Debtor from November 1, 2017 to the Petition Date;
- c. Copies of all tax returns (including all schedules) for 2017 and 2019;
- d. A list of all active cases as of September 1, 2018, in which the Debtor represented any party (identifying the client's name, case number, and jurisdiction);
- e. Copies of all engagement letters for each case referenced in paragraph (d) herein;
- f. Copies of any disengagement letters, or any other correspondence regarding the withdrawal of representation by the Debtor with regard to each case referenced in paragraph (d) herein;
- g. Copies of proof of delivery (e.g., FedEx receipts or certified mail receipts) for correspondence referenced in paragraph (f) herein;
- h. Any document evidencing an expense advanced by the Debtor for cases referenced in paragraph (d) herein, including receipts and invoices;
- i. All notices of change of address, notices of withdrawal, or notices of substitution of counsel filed by the Debtor or any agent thereof in the cases referenced in paragraph (d) herein;
- j. Copies of any leases to which the Debtor was a party from November 1, 2017 to the Petition Date (including, but not limited to, real property leases), and any correspondence related to those leases;

k. Any document evidencing the Debtor's purchase or ownership of equipment, furnishings or other personal property;

l. A list of all vendors with whom the Debtor conducted business as of September 1, 2018, and copies of all contracts with any such vendors; and

m. All documents associated with Grant, Konvalinka & Harrison, P.C.'s representation of the Debtor, including signed engagement letters, disengagement letters, and/or invoices for services rendered.

WHEREFORE, pursuant to 11 U.S.C. §521(a)(4), the Trustee respectfully requests the Court to enter an order compelling the Debtor and the Debtor's corporate representative, Brian Manookian, to turnover the documents listed in Paragraph 6 herein, and for such other and further relief as the Court deems equitable and appropriate under the circumstances.

Respectfully submitted,

/s/ Phillip G. Young, Jr.

Phillip G. Young, Jr.

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Special Counsel to Jeanne Ann Burton,
Trustee

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been served this 28th day of January, 2020, upon all parties of record requesting notice through the Court's electronic filing system, including counsel for the Debtor.

/s/ Phillip G. Young

Phillip G. Young